

United States District Court
Eastern District of California

Jeffers P. Dickey,

Plaintiff,

vs.

M. Churray,

Defendant.

No. Civ. S 03-2215 MCE PAN P

Order

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August 1, 2005, plaintiff moved to compel discovery. He seeks an order requiring defendant produce copies of "Operational procedure #8" as requested in plaintiff's request for production of documents, Set 2. Defendant has not opposed. Plaintiff's motion is granted.

August 8, 2005, plaintiff challenged the sufficiency of defendant's response to plaintiff's requests for productions sets 3, 4, 5, and 6. Defendant did not oppose.

August 1 and September 23, 2005, plaintiff moved for leave

1 to propound interrogatories sets 2 and 3. Defendant did not
2 oppose. The motions are granted.

3 August 15 and October 11, 2005, plaintiff moved for default
4 based on defendant's failure to oppose discovery motions. No
5 ground exists for default. Plaintiff's motions are denied.

6 Accordingly, the court hereby orders that:

7 1. Plaintiff's August 1, 2005, motion to compel is granted.

8 2. Within ten days defendants shall provide further
9 response to plaintiff's requests for documents nos. 3, 4, 5 and
10 6.

11 3. Plaintiff's August 1 and September 23, 2005, motions for
12 leave to propound additional interrogatories are granted.

13 4. Plaintiff's August 15 and October 11, 2005, motions for
14 default are denied.

15 So ordered.

16 Dated: November 17, 2005.

17 /s/ Peter A. Nowinski

18 PETER A. NOWINSKI

19 Magistrate Judge
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